

#17

PTO/SB/30 (06-00)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                    |
|------------------------|--------------------|
| Application Number     | 09/606,433         |
| Filing Date            | June 28, 2000      |
| Examiner Name          | Seaman, D.         |
| First Named Inventor   | McGee, Lawrence R. |
| Group Art Unit         | 1625               |
| Attorney Docket Number | 018781-002710US    |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.118 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other PETITION TO WITHDRAW FROM ISSUE AFTER PAYMENT OF ISSUE FEE - 37 CFR § 1.313(c)(2)

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                    |                         |                                   |                    |
|--------------------|-------------------------|-----------------------------------|--------------------|
| Name (Print /Type) | Frank J. Mycroft        | Registration No. (Attorney/Agent) | 46,948             |
| Signature          | <i>Frank J. Mycroft</i> | Date                              | September 19, 2002 |

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Attn: Francis Hicks at Fax No. (703) 308-6916 on September 19, 2002

|                       |                            |      |                    |
|-----------------------|----------------------------|------|--------------------|
| Typed or printed name | Masha M. Martynenko        | Date | September 19, 2002 |
| Signature             | <i>Masha M. Martynenko</i> |      |                    |

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PTO/SB/17 (11-01)

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1050

Complete if Known

|                      |                    |
|----------------------|--------------------|
| Application Number   | 09/808,433         |
| Filing Date          | June 28, 2000      |
| First Named Inventor | McGee, Lawrence R. |
| Examiner Name        | Seaman, D.         |
| Group Art Unit       | 1825               |
| Attorney Docket No.  | 018781-002710US    |

SEP 19 2002

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## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 740      | 201          | 370      | Utility filing fee     |          |
| 106          | 330      | 208          | 165      | Design filing fee      |          |
| 107          | 510      | 207          | 255      | Plant filing fee       |          |
| 108          | 740      | 208          | 370      | Reissue filing fee     |          |
| 114          | 160      | 214          | 80       | Provisional filing fee |          |

SUBTOTAL (1)

(\$ )

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       |  | Extra Claims |  | Fees from below |  | Fee Paid |
|--------------------|--|--------------|--|-----------------|--|----------|
|                    |  |              |  |                 |  |          |
|                    |  |              |  |                 |  |          |
| Independent Claims |  |              |  |                 |  |          |
| Multiple Dependent |  |              |  |                 |  |          |

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                     |          |
| 102          | 84       | 202          | 42       | Independent claims in excess of 3                          |          |
| 104          | 280      | 204          | 140      | Multiple dependent claim, if not paid                      |          |
| 109          | 84       | 209          | 42       | -- Reissue independent claims over original patent         |          |
| 110          | 16       | 210          | 9        | -- Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2)

(\$ )

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105          | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127          | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139          | 130      | 139          | 130      | Non-English specification  |          |
| 147          | 2,520    | 147          | 2,520    | For filing a request for reexamination                                     |          |
| 112          | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113          | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115          | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116          | 400      | 216          | 200      | Extension for reply within second month                                    |          |
| 117          | 920      | 217          | 460      | Extension for reply within third month                                     |          |
| 118          | 1,440    | 218          | 720      | Extension for reply within fourth month                                    |          |
| 128          | 1,960    | 228          | 980      | Extension for reply within fifth month                                     |          |
| 119          | 320      | 219          | 160      | Notice of Appeal   |          |
| 120          | 320      | 220          | 160      | Filing a brief in support of an appeal                                     |          |
| 121          | 280      | 221          | 140      | Request for oral hearing   |          |
| 138          | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140          | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141          | 1,280    | 241          | 640      | Petition to revive - unintentional   |          |
| 142          | 1,280    | 242          | 640      | Utility issue fee (or reissue)   |          |
| 143          | 460      | 243          | 230      | Design issue fee   |          |
| 144          | 620      | 244          | 310      | Plant issue fee  |          |
| 122          | 130      | 122          | 130      | Petitions to the Commissioner  | 130      |
| 123          | 50       | 123          | 50       | Petitions related to provisional applications                              |          |
| 126          | 180      | 126          | 180      | Submission of Information Disclosure Sheet                                 | 180      |
| 581          | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146          | 740      | 246          | 370      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149          | 740      | 249          | 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179          | 740      | 279          | 370      | Request for Continued Examination (RCE)                                    | 740      |
| 169          | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$ )1050

## SUBMITTED BY

Complete (if applicable)

|                   |                         |                                   |                    |           |              |
|-------------------|-------------------------|-----------------------------------|--------------------|-----------|--------------|
| Name (Print/Type) | Frank J. Mycroft        | Registration No. (Attorney/Agent) | 48,946             | Telephone | 925-472-5000 |
| Signature         | <i>Frank J. Mycroft</i> | Date                              | September 19, 2002 |           |              |

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